npt to Make the Road Pay Per Diem Allowance for Foreign Cars Used on Re Lines.—First Request of the Kind to the Interstate Body by Carriers.

WASHINGTON, Dec. 24.-A determined ovement to compel the New York, New Haven and Hartford Railroad Company to pay a per diem allowance for foreign cars d on its lines was begun to-day, when a en or more of the great railroads of the connecting with the New Haven named it as a defendant in an action instituted before the Interstate Commerce on. The refusal of the New Haven to abide by the agreement of railroad com-panies whereby each line pays 50 cents per day as rental for cars of a connecting road is declared to be in violation of the terms of the Hepburn rate act, and the titioners pray "that an order be made" the commission "directing the New Haven company to pay to them respectively for each of their cars which shall be delivered to and accepted by the New Haven company the sum of 50 cents per day for the period of time that they are upon the lines of that company, or that if that be not a reasonable sum that the Commissioners determine what sum is reasonable and that the New Haven company be ted to pay such sum."

This is the first demand upon the comon on the part of a carrier or carriers that it exercise the rate making power conferred upon it by the Hepburn act.

The companies that have moved against

the New Haven to compel it to continue in force agreements made relating to the use of foreign cars on connecting lines are: The Pennsylvania Railroad Company, New York Central and Hudson River Railroad Company, Erie Railroad Company, Baltimore and Ohio Railroad Company, Central diroad Company of New Jersey, Lehigh Valley Railroad Company, Delaware, Lackawanna and Western Railroad Company, Philadelphia and Reading Railroad Company. Delaware and Hudson Company and the Lehigh and Hudson River Railroad Company.

It is recited in the complaint that the lines of the petitioners and of the New Haven company constitute through routes for the movement of freight and that there are in force through rates covering the movement of such traffic which are em-bodied and set forth in tariffs which have been duly published and are on file with the Interstate Commerce Commission; that the traffic thus interchanged is largely if not wholly interstate in character, and the petitioners therefore and the New the petitioners therefore and the New Haven company are in respect to such traffic "subject to the act to regulate com-

merce." The complaint continues;
"It is impracticable to transfer the loading of cars transported by the petitioners point of connection with the New company's lines, even if the New company were able to furnish cars for the transference of said shipments, as no facilities exist for making such transfers, and any attempt to do this would inevitably

and any attempt to do this would inevitably result in a congestion and consequent stoppage of the traffic.

"It is therefore necessary in order to assure a prompt and efficient handling of the traffic, and indeed to permit the continuance of the traffic at all and in many cases to avoid that injury and damage to the shipments themselves which would inevitably follow any attempt to transfer the same, that the cars in which the shipments are loaded should go through to destination, and though this fact is recognized by the New Haven company and it was matton, and though this fact is recognized by the New Haven company and it con-tinues to receive such cars and to make use of the same on its lines it declines to ray a proper compensation for the use which it thus secures of the same."

The petitioners point out that the railroad companies throughout the country have for many years past recognized that it was necessary to avoid transfer of shipments at junction points and to allow the ship-ments to go through to destination in the cars in which they were originally loaded.

"The railroad companies therefore," reads
the complaint, "from time to time through
associations or by concurrent action demade by one railroad company to another for the use by the former of the latter's cars delivered to it in this way. at the present time, by general agreement of the railroad companies, the amount to be so paid for the use of car is 50 cents per day, and t is amount a car is 50 cents per day, and t is amount the New Haven company itself paid to the petitioners for the use of the petitioners' cars during the three months preceding October I last. Since that date, however, the New Haven company has declined to pay the amount of 50 cents per car, notwith-standing the fact, as the petitioners believe and aver, that this amount does not fairly compensate them for the loss of the use of

the cars, and is consequently less than they are entitled in justice and fairness to receive from the New Haven company."

On account of the importance of the question involved and the general confusion in the transportation world in the East that would follow a continuance of the condition esulting from the refusal of the New Haven o pay for the use of foreign cars the Inter-Commerce Commission will take Pennsylvania and its joint complainants.

The defendant has already been served with notice of the complaint and a hearing on it will be held immediately after the holidays.

JACKSON AND METROPOLITAN. Order to Disci ose Arrangement for Federal Receivership.

On the application of Attorney-General Jackson, through his special counsel, Herbert R. Limburg, Justice Greenbaum in the Supreme Court signed yesterday an order directing Herbert H. Vreeland and the other directors of the New York City Railway Company to appear before John Frankenheimer as referee at Frankeneimer's office, 25 Broad street, on December 31 for examination concerning the events which led up to the application to the United States Circuit Court for the

intment of receivers for the company. The directors, under the order of Justice baum, must produce the books and records of the company, especially the book containing the minutes of any meeting of the directors since September 1 re-ferring to any plans for the appointment

The application is the first move made by Jackson since Justice Seabury acceded to his request for the appointment of State receivers for the railway company. In the papers filed with Justice Greenbaum Jackson repeats his former assertion that there was collusion between the direct that there was collusion between the directors and counsel for the company to ha and counsel for the company to have ivers appointed by the Federal Court kson could get a hearing in the tate courts.
It was said yesterday that an appeal

ild be taken from Justice Greenbeer and a stay obtained meanwhile.

To promote a habit of saving among its employees the officials of the Tide Water Oil Company of Bayonne recently offered to permit them to become stockholders in the corporation by purchasing shares, which were placed at \$100 each. Within

t-Wortley Treasurer of United Metals. R. M. Stuart-Wortley has retired from the firm of Edward R. Sweet & Co. to become treasurer of the United Metals Selling Com-pany. This is the place now occupied by Urban H. Broughton, son-in-law of Henry H. Rogers. Mr. Broughton, it is under-stood, will remain in another capacity.

GOSSIP OF WALL STREET.

Such a dreary, monotonous affair as passed upon the floor of the Stock Exchange yesterday could hardly be called a market. For minutes at a time the could be called a market. minutes at a time there was not a single transaction of any kind, and it is doubtful if in the entire session there was one that had any real significance. Stocks were inert and the traders apathetic. There was nothing doing and nobody seemed inclined to do anything. The attendance on the floor was very small and hardly one of those present was disposed to take a position over the bell was disposed to take a position over the hol day. The feeling of many traders was ex-pressed by one, who wished himself in Ho-boken, "because," as he said, "if I was there ase," as he said, "if I was there could not be here."

Had the traders been allowed to indulge in heir usual Christmas celebration it might with many of them have counteracted the depressing influence of the lack of real business but as it was several after hanging place that afforded them neither profit nor asure. The Christmas celebrat a time honored observance on the New York stock Exchange, and in prosperous years brokers practically suspended business to ndulge in pranks even when their time might be very profitably employed in trading. Age thing gave way to fun and music. The fact that this did not occur on the present occa sion has been construed by many people in poverty the traders have ever made, although really means nothing more than that among the few brokers in attendance none seeme willing to take the initiative in raising funds to pay for a band and make other prepara tions for the usual festivities.

24 per cent., as compared with 22 per cent. on the preceding day, but the rate afterward eased off on the almost total absence of demand in a market that had practically ceased to exist. The premium on currency was not quite as high as on Monday, but it was still high enough to form the subject of consideraole unfavorable comment, the nature of which is conveyed in the sarcastic remark of a trader that the patient was all right, no doubt, but still had a temperature of 101. it seemed to be forgotten by operators of thi class that the highly favorable conditionssuch as the almost complete absence of de mand for money for stock market purposes must, unless disturbed, speedily lower the temperature and restore the normal health of the patient.

The first stock to display real weakness was General Electric, but the selling of this did not look at all formidable. The reason for the decline was found in the rumor current on Monday that one of the trunk lines owed the company more than \$20,000,000 for equipment furnished, but was very slow in making payment. This was an old story It had been circulated on many previous occasions, when it elicited denials both from representatives of the railroad and from officials of the General Electric Company Yesterday, however, it was embellished with a few original touches to the effect that the failure of the electric company to collect the amount due to it would involve the curtailment of operations at the works on account of the insufficiency of working capitala new way of applying an unfounded rumor intention to close down the Schenectady shops. The distortion of rumors already denied and discredited seemed to the bears to be a sufficiently good pretext for selling the stock, but the ordinary outsider could see no evidence of liquidation or an increase in the floating supply from which the shorts

The rumors on which American Locomotive was depressed were very similar to those used in the case of General Electric -that equipment sold had not been paid for and tions, the latter referring not to the company itself but to . competitor. Some of the selling orders in Locomotive were said to have had their origin in Philadelphia, but this may have been a little scheme to. create the impression that the reduction of forces and of working hours at the Baldwin works indicated adverse conditions in the business of the locomotive builders.

What was said about General Electric and American Locomotive furnished the bear argument on New York Central, and that it was all old and of questionable credibility did not seem to make much difference with did not seem to make much difference with sumption, before the motion for a permanent receivership is argued on December 28." making a market furn.

A few of the traders tried to make a bearish demonstration in Pennsylvania to the ac- Cleveland Reports That Improvement Is companiment of a rumor that the statement of earnings for November to be published near the end of next week would make a disappointing showing. They achieved little success, afterward turning their attention Reading, where their efforts were almost equally barren of results. It was of course an easy guess that the November statement of Pennsylvania's earnings would not look doubt whatever that reports for the current month in the case of many of the large sysems will give the gross in red figures -this being the usual method by which railroad accountants record the decreases in order that the poor months may easily be identified. What has long been anticipated is now actu-ally occurring, and the prospect is bright for realization of the expectation that the rail-roads will this winter be in position to readjust wages and make such general changes in labor conditions as must conduce very naterially to more economical and efficient operation.

London did practically nothing in our narket, and as not only to-day but to-mor row is a holiday over there, there can be very little foreign interest manifested in Ameri ean stocks before Friday. It is possible, however, that on the reopening of business in the British metropolis there will be buyng, as stocks bought then will not have be paid for until the middle of January, when the improvement in money conditions here may have lifted prices appreciably above their present level.

Outside of a few stocks no reasons were given for price changes, and none was needed. for the only characteristic of the trading was its absolute listlessness. The volume of business was the smallest in many months
-a fact which testified strongly to the absence of any news of real market import.

The Metal Markets.

Business was dull in the metal market as elsewhere in the financial district yesterday Sales of copper were in small quantity and there was no change in prices. Quotations

METE WA TONGHA				
	Yesterday.	F'riday.		
Lake copper		1334 0 1304		
Electrolytic copper	131 6 1316	131460 1334		
Lead.	3 400 3 50	3.35@ 3.45		
Spelter	4 1060 4 90	4.10@ 4.20		
Tin		4. 10kg 4.20		
		27.25		
The following table	shows the	matal anata		
tions in the London	markets	in terms of		
pounds sterling:				

ľ	niomi su mio avondon	*****		***	CCATATO	, ,
ı	pounds sterling:					
ı			Yesterday.		Friday	
F		£.	8. d.		P	12.
t	Copper, spot	. 60	10 0	4	50	15
ŀ	Couper futures	63	15 0		61	0
k	Tin. spot.	122	10 0		-121	15
•	Tin, futures	. 124	0.0		128	10
:	Lead	. 14	12 6		13	17
t	Spelter				19	15
i	Iron, standard foundry	. 2	90		2	9

Julius Strauss, doing business as the Straus Leather Company, with an office at 82 Gold street, this city, and a factory at 26 Esther ruptcy here with liabilities \$8,858 and assets

Judge Hough of the United States District Court has dismissed the petition in bank-ruptcy filed on November 25 against Bernard & Co., Inc., millinery, ? West Thirty-first street and 499 Fifth avenue, on application of Lesser Bros., attorneys for the corporation, who said that a settlement had been made with the creditors at 30 cents on the dellar. Ferdinand Delenne, proprietor of the Maison Delenne hotel and restaurant, 50-54 West Seventeenth street and 41-45 West Sixteenth street, has made a settlement with his creditors, and Judge Hough has dismissed the petition in bankruptcy filed against him on November 8.

CHRISTMAS ENTHUSIASM DID NOT RUN TO THAT.

intovers of Both the Stock Exchange Get Approximately the Usual Gifts Bankers and Brokers Unable to Be So Liberal as They Were Last Year.

For the first time since 1893 there was o Christmas celebration on the floor of the Stock Exchange at the close of business on the day before Christmas. The gallerie were described, there was no band nor holiday decoration and the few brokers on the floor strolled dejectedly away. The aggregate of business for the day had been wer than for any other day of the year, and brokers have had very little business for very many days, and there was none among them of the gentiles who cared to exert himself to raise the subscription

The Stock Exchange raised the customary Christmas fund for employees. Last year the fund broke all records, amounting to \$14,000. Yesterday there was disbursed. it was said, the average amount, which is not far from \$12,000, among the 385 employees of the Exchange. The Consolidated, which also abandoned Christmas exer-

cises, raised \$3,000 for employees. On the curb alone was there any Christmas jollification. The curb raised \$900 for Christmas bonuses and had a committee at work literally enforcing contributions from the many Columbia men at work on Broad street. The curb supplied the only happy and care free happenings of the day.

Few of the banks and Stock Exchange houses distributed Christmas bonuses of the value of last year. Employees did not expect such bonuses in view of the troubles of the times, but in many offices clerks were surprised at the comparatively large gifts or increases in salary. Generally the contributions were heavier in proportion to the profits of the firms than on most previous years. The Christmas spirit was there, but the money was lacking.

CALL TO SAVE KNICKERBOCKER. Depositors Have Only Two Days Left to Avoid a Costly Receivership.

Herbert L. Satterlee, who is the counse for one of the committees of depositors for the rehabilitation of the Knickerbocker Trust Company, likened yesterday the troubles of the depositors to the results that people having property valued at \$47,000,000. Some of the depositors, he said, were insured, as only a part of their money was with the trust company, while others had their all wiped out. Mr. Satterlee said that it was those who had lost only a part of their savings who were the slowest in helping out with their proxies to give the various committees a chance to save the company from a receivership.

"Smarting under a sense of loss and annoyance, their attitude sometimes leads one to believe they feel like visiting a just punishment upon the company by refraining from helping it to resume," said Mr. Satterlee. "Luckily this can only be said of comparatively few with whom the depositors' committee has come in contact. It is a feet that no one can reopen the trust company unless the depositors want it reopened. s.fect that no one can reopen the trust com-pany unless the depositors want it reopened. It is for them alone to decide whether through the voting trustees, controlling the new board of directors, the depositors will take over the assets which are being preserved for them by the court and will help to manage what will be practically a new, strong trust company in their interest. If the assets of the company had been more liquid it might possibly have weathered the liquid it might possibly have weathered the storm, but a large proportion of them are 'slow' and must be nursed, and the plan for resumption is based upon a careful and conervative handling of the assets and will pay off the depositors as fast as it is possible them to be paid off, and unquestionably with better results then could be obtained by a permanent receivership. Two days yet remain for the depositors to assent to re-

IRON TRADE OUTLOOK.

Expected in 1998. CLEVELAND, Dec. 24.-The tron Trade

Re ieu on Thursday will say: The iron and steel trade at the close of ne of the most remarkable years in its his-

tory in which prosperity was suddenly paralyzed looks forward to a mild and conservative improvement after the first of the year. The producers are in better condition to maintain prices at this time than they were in 1993-04 and some progress has already been made toward a readjustto permit of business being placed early in the new year. Some of the more highly fluctuating com-

modities have reached prices which experience indicates are likely to prove close to bottom. Southern pig iron has been sold at \$13 Birmingham, but furnaces will not sell for any extended delivery at this price, although rumors of lower prices have been followed by a display of eagerness to buy. Inquiries for pig iron have increased and about 4,000 tons has been sold at Cincinnati. The first reduction in finished of semi-finished steel has just been announced, the Carnegie Steel Company having fixed the price on sheet bars at \$29, just \$2 lower than the price for the fourth quarter of 1907. It is expected that there will be other reductions, but not of a radical nature.

OGERMAN WILL REJECTED. Brange County Surrogate Refuses to Admit Instrument to Probate.

MIDDLETOWN, N. Y., Dec. 24.—Surroge Howell of Orange county to-day refused to admit to probate the will of Mrs. Julia Ogerman of New York city on the ground that she was not competent to make a will. She was the wife of William Ogerman, a wealthy contractor, who left 107 houses in New York and a country estate at Monroe. Orange county.

Mrs. Ogerman had four sons and two daughters. The will of Mrs. Ogerman gave all of the large property to one son, Edward Monroe Ogerman, with bequests to Katherine Nagle and Minnie Kane, two servants; Miss Millie Westervelt, the daughter of Mrs. Ogerman's lawyer, and Francis Curry, a friend of the lawyer. The contestants were the other children The contestants were the other children of the deceased. They alleged that the testatrix was unduly influenced in making

A Government Assistant Weigher Arrested. United States Assistant Weigher Simon J. Mescall was arrested yesterday charged with having falsified the weight of a consignment of imported cheese. The cheese, of which there were eighty cases, had been unloaded from the steamer Alice of the Austro-American Line at the Bush stores. Austro-American Line at the Bush stores.

Mescall weighed them and turned in a report that the total weight was 13,358 pounds. Thomas D. Hyatt, a Government weigher, doubted the accuracy of the report and the cheese was reweighed, showing that the true weight was 29,277 pounds. Mescall was arraigned before Commissioner Morle, who held him in \$3,000 ball to await examination on December 30. Other arrests are expected in the case.

HARVEST MONEY. Mr. Cowperthwait's Plan for Moeting Cur

rency Emerg "Harvest Money" is the title of a pamphlet by J. Howard Cowperthwait, author of "Money, Silver and Finance." It treats of a proposed emergency currency. A central won't do in this country, the author says, for reasons both geographical and political. Permitting national banks to issue additional currency easily would exaggerate speculation and expansion and intensify the consequent panic and contraction. The banks do issue an emergency currency in the form of Clearing House certificates, and the author proposes to give this necessary proceeding the sanction of law. He says:

To provide for crop moving, and incidentally for emergencies, I should recommend the establishment of many banks of issue, redemption and rediscount. The New York banks now in the Clearing House could or-ganize a New York, bank of banks, the stockholders being only such banks. Similarly there might be organized a Chicago bank of banks, a San Francisco bank of banks and other banks of banks wherever there is a clearing house association. These great banks could rediscount paper for their own member banks, indorsed by the member and properly secured, the member receiving harvest money in exchange.

In turn this money would go out of paying teller windows as any bank and its own customers might see fit to use it or as local sentiment might dictate, this again being controlled by the local conditions. This money would have very much greater value than cashiers' checks or certificates of deposit, but would remain near the point of issue because its value would be unknown else-where. It should be easily distinguished from national bank notes or any other Gov-ernment money by being distinctive in color, uld be payable on demand and in Government money, and its volume should always be well known.

Judging by the recent evidence of the force of public opinion, we may be sure that harvest money of this description would be freely taken and kept affoat in most crop gathering sections of our country, but only during the time needed for marketing the crop. The moment the crop had been paid for in Government money the force of public opinion would drive this harvest money retirement for such money would obey the law which calls clearing house loan certificates into being and as inevitably provides for their cancellation.

When payment actually should be demanded

of the small bank it ought to have on hand least as much Government guaranteed ney as it was saved from issuing when it put out the harvest money.

Harvest money ought to earn interest for the issuing bank of banks in order to pay would follow a big fire affecting some 17,000 the expenses of the bank, but the rate of in terest might be left to suit the locality of the bank, and the rate might be changeable every week upon the amount then outstanding. Interest should cease upon either the return of the harvest money or a deposit of an equivalent sum of Government money to provide for redemption. Harvest money aining in circulation after the lapse of say four months from its date of Issue and redemption remaining unprovided for should be taxed by the Government, at say the rate of one-half of 1 per cent, per month from the date of the four months expirauntil the date of actual or provisional redemption.

Under the plan herein suggested harvest money would appear in every normal year in the great harvest sections and would prevent a drain of money from the financial centres. Harvest money would appear in New York, Boston, Philadelphia only in years of great financial stringency and then only for a very short time. The first strain on the circulating medium would be borne by harvest money, issued in harvest sections, a severer strain would be met by the drawing of Government money from the financial centres, while a still severer strain would compel the New York bank of banks to issue harvest money, and this would mean the arrival of panic, but with complete publicity in the several steps toward us, covering a period of a year or so. The panic itself then ould not surprise our men of financial ability nor find them wholly unprepared. Possibly, indeed, a sufficient number of financiers might so well prepare for the change that a real panic actually might be

OLD DOMINION ASKS MORE.

Demands \$1,000,000 More Than Judge

Allowed From Bigelow and Lewisohn. Boston, Dec. 24.- The Old Dominion Copper Mining and Smelting Company has appealed from the decree of Judge Sheldon the Massachusetts Supreme Court, holding that it is entitled to recover \$2,029,-600, alleged to have been diverted in the form of secret profits by Albert S. Bigelow of Boston and the late Leonard Lewisohn of

New York. New York.

Bigelow and Lewisohn were the promoters of the company and its president and treasurer, respectively, up to 1902, and the alleged secret profits were found by Judge Sheldon to have been derived by them from the sale of the Old Dominion Company of Baltimore and other mining properties.

properties.

The company, in its appeal to the full bench, claims \$1,000,000 in addition to the amount granted by Judge Sheldon, with interest from September, 1895. Judge Sheldon held Bigelow liable for the difference between the market was a property of the company of the co between the market value of the property he and Lewisohn turned over to the com-pany and the market value of the 50,000 shares of stock which they received in return

for that property.

The company claims the difference between what Bigelow and Lewisohn actually paid for the property they turned over and the market value of the stock they received from the plaintiff company in return

MUTUAL RESERVE AGREEMENT. Working Scheme for the Stockholders' Meeting May Be Arranged.

Pending the decision by Justice Ward of the United States Circuit Court in the injunction proceedings brought by some of the policyholders of the Mutual Reserve Life Insurance Company, the meeting

Life Insurance Company, the meeting called by the officers to make certain changes in the by-laws was adjourned yesterday for another week.

It was announced that before next Tuesday counsel for the policyholders and for the company will attempt to get together and agree upon a new form of notice to be sent out to all policyholders regarding the purposes of the meeting, and that if an agreemmet should be reached in the matter the meeting would be postponed until the the meeting would be postponed until the policyholders could receive such a notice. It is the expectation that the Court will continue the injunction long enough to permit of this notice being sent to the

Provident Life Hearing To-morrow.

Supt. Kelsey is to give to-morrow afternoon at his office a hearing to the officers of the Provident Savings Life Assurance Society on the valuation of the company's real estate. The company asked for such a hearing after it became known that the examiners of the insurance department had put such a value on the real estate as to show that the company's capital and surplus were impaired. The report has not been accepted yet by the Insurance Com-missioner. Timothy L. Woodruff and other officials of the company are to appear in the hopes of getting a revaluation.

To Remodel Lincoln National Bank. Plans have been filed with Building Superintendent Murphy for remodelling the basement and first and second stories with mezzanine floor of the nine story building of the Lincoln National Bank, of which former Postmaster-General James the Government to-day from customs were \$720,835; from internal revenue, \$273,-377, and miscellaneous, \$104,902, a total of \$1,090,414. The expenditures amounted to \$1,350,000.

METROPOLITAN STREET RAILWAY | Burlington & Missouri River

Four Per Cent. Refunding One Hundred Year Gold Mortgage

To the holders of the above described Bonds: In view of the flsigation now pending and that may hereafter be brought, affecting the Metropoli-tan Street Railway Company, the undersigned have consented to set as a Committee under an agreement dated November 25th, 1907, for the purpose of conserving the interests of the bondholders. The holders of said bonds are requested to deposit them with The Farmers' Loan and Trust Company, 22 William Street, or Fifth Ave. Branch, 475 Fifth Ave., New York, the Depository named in the expression.

in the agreement.

Engraved certificates of deposit for each bond, or certificates of deposit covering a number of boads at the option of the depositor, will be issued by The Farmers' Loan and Trust Company, to whom application should be made for copies of

EDWIN S. MARSTON, Chairman, EDWIN M. BULKLEY. JOHN W. CASTLES. DUMONT CLARKE. ROBERT Y. HEBDEN. OTTO H. KAHN.

FREDERICK GELLER, Secretary

The Federal National Bank, located at Chicago, in the State of lilinois, is closing up its affairs. All note holders and other creditors of the association are therefore bareby notified to present the notes and other claims against the said Bank, at Chicago, for payment. FRANK G. MURRAY, President. Dated, Chicago, November 4, 1907.

COBE & MCELINDON.

Liquidating Agent.

Liquidating Agent.
FELSENTHAL, FOREMAN & BECKWITH, Counsel, 100 Washington St., Chicago.

AGAINST SHORT TERM RATES. Interstate Commerce Commission Rules

Against Them as Discriminating. WASHINGTON, Dec. 24 .- The Interstate Commerce Commission has disapproved the action of railroads in putting in rates effective for short periods of time. The commission announced that in order to prevent the discrimination which the act was intended to defeat it will require in the future that rates remain in effect for definite periods to be designated in the tariffs filed in accordance with law. This ruling was handed down in the decision in connection with the case of the Holcomb-Hayes Company against the Illinois Central Railroad Company and the Southern Rail-

In December, 1905, the Illinois Central and the Southern leased the Tennessee Central Railroad and shortly therafter cancelled the through rates formerly in effect over that line. When this occurred the complainant was engaged in filling a con-tract for cross ties at Pawnee Junction, Eleomington and Paxton, Ill., from various shipping points on the Tennessee railroad. Instead of waiting for the readjustment of rates the complainant made shipments and was charged an alleged unreasonable rate, for which it claimed reparation. The nission allowed reparation in the sum

publish and to keep in effect for one year a rate not in excess of 19½ cents per cross tie for the shipment of such products between l'awnee Junction, Bloomington, Pax-

RAILROAD LOSES SUIT OVER WALL New Brunswick Man Proves That the Penn

Robert Kahrmann, a foremen in a local

sylvania Took 18 Inches of His Land. NEW BRUNSWICK, N. J., Dec. 24.-The Pennsylvania Railroad Company can be compelled to move the elevation wall supporting its four track main line in this city. according to a verdict given by a jury in the Circuit Court before Judge Lloyd here

factory, sued the company, alleging that when the tracks were elevated in 1902 the railroad company placed eighteen inches of its stone retaining wall on property it did not own and which is part of a lot since purchased by Kahrmann. The suit was no damages being asked The case hinged upon rival survey maps. The case ninged upon rival survey maps.

The railroad's engineer, Asher Atkinson, produced a map by which it was shown that the railroad, under a condemnation proceeding of 1838, was entitled to all the land it used for the elevation wall. The plaintiff's engineer, Josiah Tice, produced another map according to which the line under the condemnation deed was a foot

another map according to which the line under the condemnation deed was a foot and a half short of the present line of the wall. It was shown that a fence had been torn down on the Kahrmann property while the elevation work was in progress and had been put up again at the expense of the company. Kahrmann maintained that the line of the fence was moved. The railroad will appeal the case unless a compromise is effected. If the verdict is sustained by Rahrmann can force the railroad to either move its wall or pay for the land the jury says the company unlawthe land the jury says the company unlaw-

MARINE INTELLIGENCE.

MINIATURE ALMANAC THIS DAY. Sun rises. 7:18 Sun sets. . . . 4:32 Moon rises. . 10:09 RIGH WATER THIS DAT.

Arrived Tukanay December 34 Sa Mesaba, London, Dec. 12.
Sa Florida, Naples, Dec. 10.
Sa Marla, Messina, Nov. 25.
Sa Boniface, Manaos, Dec. 7.
Sa Marcaibo, Maracaibo, Dec. 14.
Sa Saratoga, Havana, Dec. 17.
Sa Prinz Ettel Friedrich, Colon, Dec. 17.
Sa Bellenden, New Orleans, Dec. 17.
Sa Lampasas, Galveston, Dec. 18.
Sa Aaminster, Baltimore, Dec. 23.
Sa Jamestown, Norfolk, Dec. 23.

ARRIVED OUT. Ss Oceanic, from New York at Southampton. SAILED FROM PORRIGN PORTS. Ss President Lincoln, from Gibraltar for New Ss Bermudlan, from Bermuda for New York.

OUTGOING STRAMSHIPS. Sail To-day. Apache, Jacksonville. Main, Bremen,
La Bretagne, Havre,
Monterey, Havana,
Alleghany, Inagua,
Manchester Inventor, Argen 4 00 A M 12 00 M 12 00 M 12 00 M Jeayali, Iquitos... Uler, St. Kitta. City of Columbus, Savannah. Jamestown, Norfolk... Sail Friday, December 27. Baitic, Liverpool.
Alice, Naples.
Rosalind, Newfoundland.
Segurança, Nassau.
Sabine, Brunswick.
Princess Anne, Norfolk. 10 00 A M INCOMING STRAMSHIPS.

Plymouth Rotterdam Palermo... Bermuda... Kingston... New Orlea

Railroad Company in Nebraska Non-Exempt Six Per Cent. Bonds

DUE JULY 1, 1918. NOTICE IS HEREBY GIVEN THAT in pursuance of a Trust Morigage Deed executed to The New England Trust Company, Trustee, by the Burlington & Missouri River Railroad Company in Nebrasita, dated July 1, 1878, the fellowing %, Consolidated Mortgage Houds, due July 1, 1918, of said Railroad Company, secured by said Deed of Trust, have been drawn for payment, viz.

Truss, have been drawn for payment.

Fundred and One (201) Bonds, 31,000

Bach, Numbers:

Back, Numbers:

Back Thirty-seven (32) Bonds. 1949 2051 1949 2051 1993 2064 1987 2074 1991 2090 2012 2091

The New England Trust Company, TRUSTEE.

Boston, Mass., December 13, 1907.

Depositors who have not yet assented to the plan for the resumption of business by the

KNICKERBOCKER TRUST COMPANY

are requested to call at the offices of the Company, or at the Farmers' Loan and Trust Co., or Room 47, 4th floor, 120 Broadway, on Dec. 26th or 27th and bring their pass books with them. For the Committee

HERBERT L. SATTERLEE, Counsel. HINSDILL PARSONS, Chairman.

THE PITTSBURGH COMPANY First Mortgage and Collateral Trust Ronds. DATED JULY 1, 1899.

Notice is hereby given as provided in the mort-gage of the above-named Company to the Guar-anty Trust Company of New York as Trustee, dated July 1st, 1899, that bonds of the following numbers have been drawn for the Slinking Fund, and will be paid on presentation on and after Jan-nury 1st, 1998, at the office of the Guaranty Trust Company of New York, at par and interest to that date, after which date interest on said bonds will ocase:

Bonds Nos. 60, 105, 139.
THE PITTSBURGH COMPANY.
Dated Ellwood City, Penn., November 29, 1907. THE NEW YORK, NEW HAVEN AND HART-FORD RAILROAD COMPANY.

New Haven, Conn., Oct. 29, 1907.
To the holders of the First Mortgage 5 per cent, bonds of the New London Steamboat Compeny, due January 1, 1908, to January 1, 1916, inclusives. due January 1, 1998, to January 1, 1916, inclusive:

The New York, New Haven and Hartford Railroad Company will, on presentation at its treasurer's office in the city of New Haven, Conn., or at the office of Messrs. J. P. Morgan & Co., in the city of New York, pay at par and accrued interest to the date of presentation the 8 per cent. First Mortgage bonds of the New London Steambont Company, due January 1, 1906; January 1, 1909; January 1, 1908; January 1, 1908

By A. S. MAY. Treasurer. THE NEW YORK, NEW HAVEN AND HART-FORD RAILROAD COMPANY.

New Haven, Conn., Oct. 29, 1907.

To the holders of the Second Mortgage 4 per cent. bonds: of the Hartem River and Portchester Railroad Company, due June 1, 1911.

The New York, New Haven and Hartford Railroad Company will upon presentation at its treasurer's office in the city of New Haven, Conn., or at the office of Messrs, J. P. Morgan & Co., in the city of New York, pay at par and accrued interest to the date of Messrs. of New York, pay at par and accrued inter the date of presentation the four per cent. Mortgage Bonds of the Harlem River and Fort-chester Railroad Company, due June 1, 1911. THE NEW YORK NEW HAVEN AND HART-FORD R. R. CO.

By A. S. MAY, Treasurer. The Planters & Mechanics National Bank of Jouston, located at Houston, in the State of Texas, sciosing its affairs. All note holders and other reditors of the association are therefore hereby notified to present the notes and other claims for avenue. GEORGE HAMMAN, Cashler. Houston, Texas, Dec. 7, 1907.

BANK REPORTS.

QUARTERLY REPORT OF THE BANK OF AMERICA

AT THE CLOSE OF BUSINESS DAY OF DECEMBER, 1907: RESOURCES. Loans and discounts bankers and brokers.
Banking house and lot.
Stocks and bonds, viz.:
Public securities.
Other securities. Specie.
Legal lender notes and notes of national banks...
Cash items. viz.: 1,793,044 00 onal barra, viz.:
h Items, viz.:
Exchanges and checks
for the next day's
for the next day's
40,147,38

Clearing House account, net balance. Total.

Estimated accrued interest not paid nor entered on books at date of this report as an asset.

LIABILITIES.

Capital stock paid in, in cash.

Surplus fund.

Undivided profits, less current expenses and taxes paid.

Due depositors.

Due depositors.

Due trust companies. banks and 334,822,418 71 69,000 0 \$1,500,000 00 305,913 95 17,622,834 06

trust companies, banks 19,944 39 Total. Sy4.822.418 71
Estimated accrued interest not paid
nor entered on books at date of this
report as a liability. 28,600 00
State of New York, County of New York, as:
WILLIAM H. PERKINS, President, and WALTER M. BENNET, Cashier, of The Bank of America,
a bank located and doing business at Nos. 44 and
46 Wall street, in the City of New York, in said
county, being duly sworn, each for himself, says
that the foregoing report, with the schedule accompanying the same, is true and correct in all
respects, to the best of his knowledge and belief,
and they further say that the usual business of
said hank has been transacted at the location required by the Banking Law (Chap. 689, Laws of
1892, as amended), and not sisewhere, and that the
above report is made in compliance with an official
notice received from the Superintendent of Banks,
designating the 19th day of December, 1907, as
the day as of which such report shall be made.

WALTER M. BENNET, Cashier.

Severally subscribed and sworn to by both depoments, the 21st day of December, 1907, before me,
[Seal of Notary]

B. DENNIER.

Notary Public, Kings Co.

Certificate filed in New York Co., 987. 334,822,418 7

New York, December 12, 1907.

York will be held at its Banking House, No. 42 Wall Street, New York, on Tuesday, January 14th, 1908, at 12 o'clock noon; and at the same time and place a meeting of the stockholders of the Bank will be held for the purpose of taking action upon a proposal to amend the Articles of Association so as to provide that the number of Directors shall be not less than eleven nor more than fiteen, as from time to time the Board shall determine; and until otherwise so determined shall be twolve; and of transacting such other bulsness as may properly come before the meeting.

By order of the Board of Directors.

JOSEPH BYRNE, Cashier. York will be held at its Banking House, No. 42 Wall

DIVIDENDS AND INTEREST. Merchants Exchange National Bank of the City of New York.

of the City of New York.

December pp. 1907.

The Board of Directors have tipls day deciared a semi-annual dividend of THRESS PR CEST. free of tax, physbic on and after sanuary 2, 1908, until which date the transfer books will be closed.

E. V. GAMBIER. Cashier.

DEVEDENDS AND INTEREST.

INTEREST ON THE CITY OF MEMPRIS Office of the Beard of Fire & Police Commissioners.
Memphis, Tenn., December 18th, 1907.
Notice is hereby given that the semi-annual interest maturing January 1, 1908, on the bonds of the city of Memphis will be paid on and efter that date as follows:

Coupons of the Taxing District Compromise Bonds maturing in 1915 will be paid by the Bank of Commerce & Trust Co. of Memphis, Tenn., or by the United States Mortgage & Trust Co. of New York City, N. Y., at the option of the holder thereof.

Coupons of the New Hefunding Gold Sonds maturing in 1925 will be paid by the Bank of Commerce & Trust Company of Memphis, Tenn., or by the United States Mortgage & Trust Co. of New York City, N. Y., at the option of the holders thereof.

Coupons of the New Market House Bonds will be paid by the Bank of Commerce & Trust Company of Memphis, Tenn.

AMERICAN SMELTING & REFINING CO. AMERICAN SMELTING & REFINING CO.
TI Broadway, N., T. City, Dec. 4, 1007.
QUARTERLY COMMON STOCK DIVIDEND NO. 17.
The directors of the American Smutting and
Refining Company have this day declared a Dividond of TWO PER CENT. (2.9) on the Common
Capital Stock of the Company, payable January
19, 1908, to stockholders of record December 27th,
1907. The Books of the Company for the transfer of Common Stock will be closed at three o'clock
P. M., December 27th, 1907, and will be reopened
January 2, 1908. W. E. MERRISS, Secretary.

JAMES H. MALONE, Mayor.

CHATHAM NATIONAL BANK DIVIDEND NO. 148

A Quarterly Dividend of FOUR PER CENT, has this day been declared by the Board of Directors payable on and after January 2nd, 1908, until while date transfer books will be closed. New York, December 20th, 1907.

THE KANSAS CITY SOUTHERN RAILWAY COMPANY.

25 Broad Street, New York, December 5th, 1907.
A querterly dividend of one (1%) per cent, has this day been declared upon the Preferred Stock of this Company, from the surplus earnings of the current fiscal year, payable on January 18th, 1908, to stackholders of record at 3500 octook P. M. December 18th, 1907.
Checks for the divident will be mailed to Stockholders, their instrudence surnished to the Frontier Office.

R. B. SPERRY, Secretary.

R. B. SPERRY, Secretary RUTLAND RAILROAD COMPANY.

Office of the Assistant Treasurer.

Grand Central Station, New York, Dec. 24, 1807.

THE BOARD OF DIMPETORS of this Company, at a meeting held this day, decloted a dividend of ONE AND ONE-HALP PER CENT. on its preferred Capital Stock, payable at this office on the 18th day of January, 1808, to Sicekholders of record at the close of business on Friday, December 27th, 1807.

EDWARD L. ROSSITER, Asst. Treasurer.

THE FOURTH NATIONAL BANK OF TREE
CITY OF NEW YORK.

New York, December 24th, 1997.

The Board of Directors has this day declared a semi-annual dividend of FOUR PER CENT., payable on and after January 2d, proxime.

The Transfer Books will close at 3 P. M. this date, reopening January 2d, 1998.

CHARLES II. PATTERSON, Cashier.

OFFICE OF THE UNITED GAS IMPROVEMENT
CO. N. W. Cor. Broad and Arch Sts.
Philadelphia, Pa., Dec. 11, 1907.
The Directors have this day declared a quarter'y dividend of Two Per Cent. (one dollar per share), payable January 13, 1908, to stockholders of record at the close of business December 31, 1907. Checks will be mailed.

LEWIS LILLIE. Transmit LEWIS LILLIE, Treasurer

NATIONAL BISCUIT COMPANY.

The regular quarterly dividend of ONE AND ONEQUARTER PER CENT. on the Common Stock has
been declared, payable January 15th, 1908, to stockholders of record at the close of business December,
28th, 1907. Transfer books will be closed from December 30th, 1907, to January 18th, 1908, both inclusive.

F. E. BUGBEE, Treasurer. Savings Banks.

EMIGRANT INDUSTRIAL SAVINGS BANK 51 Chambers St., New York

December 12, 1907. The Board of Trustees has declared semi-annual dividend at the rate of FOUR PER CENT. per annum on all deposits entitled thereto, payable on and after Monday, January 20, 1908. DEPOSITS MADE ON OR BE-FORE JANUARY 10, 1908, WILL DRAW INTEREST FROM JAN-UARY 1877, 1908.

North River Savings Bank

THOMAS M. MULRY, President JOHN J. PULLEYN, Comptroller

on deposits from \$5 to \$3.000. Open 10 a. m. to 3 p. m. Mondays open day and evening 10 a. m. to 2 p. m. Satur-days 10 a. m. to 12 m. Deposits made by January 16 draw Interest from January 1st. Samuel D. Styles, President. Frederick N. Cheshire, Treasure Charles F. Turton, Secretary.

FOUR per-cent per Annum

NEW YORK SAVINGS BANK

N. W. Cor. 14th St. & Sth Avenue. The Trustees have declared a dividend for the six months ending Jan. 1, 1998, on all deposits entitled thereto, under the by-laws, at the rate of FOUR PER CENT.

> per annun on all sums from \$5 TO \$3,000 sits made on or before Jan. 10th will draw

Interest from Jan. 1st.
WILLIAM FELSINGER, President.
JAMES L. WANDLING, Treasurer.
ARCHIBALD M. PENTZ, Secretary. BROADWAY SAVINGS INSTITUTION 5 & 7 Park Place, New York Semi-Annual Dividend 4% Per Annual payable on and after January 30th, 1908.

Beposits made on or before Jan. 7th
will draw interest from January 1st, 1908.

H. F. HUTCHINSON, W. H. ROSE,
President. Acting Secretary.

EAST RIVER SAVINGS BANK

280 BROADWAY, N. Y. per annum of all sums entitled thereto on deposit Dec. 31, pasable after January 20, 1908. DEPOSITS MADE ON OR BEFORE JANUARY JOTH WILL DRAW INTEREST FROM JANUARY Ist. DICK S. RAMSAY. President. CHAS. A. WHITNEY, Secretary.

Dollar Savings Bank Interest credited Jan. 1st, at the rate of

FOUR PER CENT per annum, on accounts from \$9 to \$3,000. Deposits made on or before Jan. 10th, draw interest from Jan. 1st.

JOHN HAFFEN, President. WILLIAM M. KERN, Secretary.

GREENWICH SAVINGS BANK

S. E. Cor. 6th Ave. and 16th St.
INTEREST AT THE RATE OF FOUR PER CENT.
PER ANNUM will be credited depositors for the
\$1. MONTHS and THREE MONTHS ENDING
DEC. 31, 1907, on all sums from five dollars to three
thousand dollars, entitled thereto under the bylaws, payable Jan. 20, 1908,
JAMES QUINLAN, President,
CHARLES M. DUTCHER, Treas.
1, HAMPDEN ROBB, Secretary,
Deposits made on cybefore JAN. 10, 1908, will
draw interest from JAN. 1, 1808.

Union Dime Savings Institution, BROADWAY, 32D ST. AND SIXTH AVENUE GREELEV SQUARE, NEW YORK.

INTEREST FOUT PER CENT. PER

from \$5 to \$3.00). Credited January 1st: payable January 18th, or any time later.
CHARLES E. SPRAGEE, President,
FRANCIS M. LEAKE, Treasurer
WILLIAM G. BOSS, Secretary.